

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HORACE CRUMP, JR., #236528,

Plaintiff,

v.

CASE NO. 5:14-CV-12761

HONORABLE JOHN CORBETT O'MEARA

RICHARD CADY, et al.,

Defendants.

ORDER DENYING MOTION FOR RECONSIDERATION

Michigan prisoner Horace Crump, Jr. ("Plaintiff") filed a pro se civil rights complaint, as well as an application to proceed without prepayment of the \$350.00 filing fee (and without payment of the \$50.00 administrative fee) for this action. The Court denied Plaintiff's application to proceed without prepayment of the filing fee pursuant to the three strikes rule, 28 U.S.C. § 1915(g), and dismissed the complaint without prejudice.

The matter is now before the Court on Plaintiff's motion for reconsideration of that decision. Plaintiff's motion must be denied. A motion for reconsideration which presents issues already ruled upon by the district court, either expressly or by reasonable implication, will not be granted. *Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Such is the case here. The Court properly denied Plaintiff's application to proceed without prepayment of the filing fee under the three strikes rule based upon his prior filings and his failure to sufficiently allege or establish that he is under imminent danger of serious physical injury, as explained in the Court's opinion. Plaintiff has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must

result from a correction thereof, as required by Local Rule 7.1(h)(3). Accordingly, the Court **DENIES** Plaintiff's motion for reconsideration. This case is closed. No further pleadings should be filed in this matter.

IT IS SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: August 18, 2014

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 18, 2014, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager